

(1) A CERTIFICATE FOR INVOLUNTARY ADMISSION OF AN INDIVIDUAL UNDER PART III OF THIS SUBTITLE SHALL:

(I) BE BASED ON THE PERSONAL EXAMINATION OF THE PHYSICIAN OR PSYCHOLOGIST WHO SIGNS THE CERTIFICATE; AND

(II) BE IN THE FORM THAT THE SECRETARY ADOPTS, BY RULE OR REGULATION.

(2) THE RULES AND REGULATIONS SHALL REQUIRE THE FORM TO INCLUDE:

(I) A DIAGNOSIS OF A MENTAL DISORDER OF THE INDIVIDUAL;

(II) AN OPINION THAT THE INDIVIDUAL NEEDS ~~IN-RESIDENCE~~ INPATIENT CARE OR TREATMENT; AND

(III) AN OPINION THAT ADMISSION TO A FACILITY OR VETERANS' ADMINISTRATION HOSPITAL IS NEEDED FOR THE PROTECTION OF THE INDIVIDUAL OR ANOTHER.

(B) TIME LIMITATIONS.

A CERTIFICATE MAY NOT BE USED FOR ADMISSION IF THE EXAMINATION ON WHICH THE CERTIFICATE IS MADE WAS DONE:

(1) MORE THAN 1 WEEK BEFORE THE CERTIFICATE IS SIGNED; OR

(2) MORE THAN 30 DAYS BEFORE THE FACILITY OR THE VETERANS' ADMINISTRATION HOSPITAL RECEIVES THE APPLICATION FOR ADMISSION.

(C) LIMITATIONS ON PRACTITIONERS.

A CERTIFICATE MAY NOT BE USED FOR AN ADMISSION IF THE PHYSICIAN OR PSYCHOLOGIST WHO SIGNED THE CERTIFICATE:

(1) HAS A FINANCIAL INTEREST, THROUGH OWNERSHIP OR COMPENSATION, IN A PRIVATE PROPRIETARY FACILITY AND ADMISSION TO THAT PRIVATE PROPRIETARY FACILITY IS SOUGHT FOR THE INDIVIDUAL WHOSE STATUS IS BEING CERTIFIED; OR

(2) IS RELATED, BY BLOOD OR MARRIAGE, TO THE INDIVIDUAL OR TO THE APPLICANT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 59, § 12(d).

Former Article 59, § 12(d)(1) contained a verbatim certification form. Since that form is